

# of the State of Washington

# **DIGEST SUPPLEMENT**

To Legislative Digest and History of Bills **Supplement No. 25\*** 

### FIFTY-NINTH LEGISLATURE

Monday, February 14, 2005

36th Day - 2005 Regular

	SENATE		HOUSE	
SB 5023-S SB 5098-S SB 5178-S SB 5290-S SB 5348-S SB 5390-S SB 5436-S SB 5880 SB 5881 SB 5882 SB 5883 SB 5884 SB 5885 SB 5886 SB 5885 SB 5886 SB 5887 SB 5888 SB 5888 SB 5888 SB 5889	SB 5890 SB 5891 SB 5892 SB 5893 SB 5894 SB 5895 SB 5896 SB 5897 SB 5898 SB 5899 SB 5900 SB 5901 SJM 8016	HB 1168-S2 HB 1171-S HB 1190-S HB 1205-S HB 1225-S HB 1236-S HB 1280-S HB 1302-S HB 1314-S HB 1316-S2 HB 1337-S HB 1426-S HB 1492-S HB 14940 HB 1941	HB 1942 HB 1943 HB 1944 HB 1945 HB 1946 HB 1947 HB 1948 HB 1949 HB 1950 HB 1951 HB 1952 HB 1953 HB 1954 HB 1955 HB 1956 HB 1956 HB 1957 HB 1958	HB 1959 HB 1960 HB 1961 HB 1962 HB 1963 HB 1964 HB 1965 HB 1966 HB 1967 HB 1968

#### **House Bills**

HB 1168-S2 by House (originally sponsored by Representatives Appleton, O'Brien, Cody, Campbell, Moeller, P. Sullivan, Chase, Flannigan, McCoy, Sells, Simpson, Darneille, Hasegawa, McIntire, Murray, McDermott, Morrell, Green, Schual-Berke, Kagi, Kessler, Dickerson, Kenney, Hankins, Conway, Lantz, Ormsby, Wallace and Upthegrove)

Authorizing the state board of pharmacy to regulate nonresident Canadian pharmacies.

#### (DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that as consumers' prescription drug costs continue to rise, people across the state of Washington are exercising the option to purchase prescription drugs from Canada for their personal use. The state has a strong interest in the safety of drugs purchased through this mechanism. To address this interest, the legislature intends to authorize the state board of pharmacy to regulate nonresident Canadian pharmacies.

Directs the board to attempt to develop a reciprocal licensing agreement for licensure of nonresident pharmacies with Health Canada or an applicable Canadian province. If the board is unable to develop such an agreement, the board shall develop a process to license participating Canadian nonresident pharmacies through on-site inspection and certification.

#### -- 2005 REGULAR SESSION --

Feb 10 APP - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Feb 11 Placed on second reading.

HB 1171-S by House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Dickerson, Moeller, Cody, Roberts, Schual-Berke, Appleton, Morrell, Darneille, Chase, Kenney and Ormsby)

Limiting the court's discretion concerning denial of dissolution decrees.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, in considering a petition for dissolution of marriage, a court shall not use a party's pregnancy as the sole basis for denying or delaying the entry of a decree of dissolution of marriage. Granting a decree of dissolution of marriage when a party is pregnant does not affect further proceedings under the uniform parentage act, chapter 26.26 RCW.

#### -- 2005 REGULAR SESSION --

Feb 9 JJFL - Majority; 1st substitute bill be substituted, do pass.

HB 1190-S by House Committee on Children & Family Services (originally sponsored by Representatives Pettigrew, Hinkle, Santos, Nixon, Kagi, Roberts, Darneille, Walsh, Haler, Appleton, Chase, Cody, Kenney, Clibborn, Ormsby, McIntire and Hasegawa)

Supporting the long-term success of families with children by removing barriers to Temporary Assistance for Needy Families and the WorkFirst programs.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Supports the long-term success of families with children by removing barriers to Temporary Assistance for Needy Families and the WorkFirst programs.

Provides that, pursuant to 21 U.S.C. 862a(d)(1), the department shall exempt individuals from the eligibility restrictions of 21 U.S.C. 862a(a)(1) and (2) to ensure eligibility for temporary assistance for needy families benefits and federal food assistance.

Takes effect September 1, 2005.

#### -- 2005 REGULAR SESSION --

Feb 9 CFS - Majority; 1st substitute bill be substituted, do pass.

Feb 11 Referred to Appropriations.

HB 1205-S by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Appleton and Chase)

Decriminalizing "fine-only" misdemeanors.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Decriminalizes "fine-only" misdemeanors. Repeals RCW 19.32.180.

#### -- 2005 REGULAR SESSION --

Feb 10 CJC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

HB 1212-S by House (originally sponsored by Representative Upthegrove; by request of Department of Fish and Wildlife)

Decriminalizing certain hunter reporting requirements. Revised for 1st Substitute: Concerning wildlife harvest reports.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the commission to by rule require reporting of harvest effort, and may assess an administrative penalty of no more than fifty dollars against any one person for failure to report harvest effort. The administrative penalty must be paid prior to obtaining a current license.

Requires the department of fish and wildlife to prepare a report to the appropriate committees of the legislature one year after the implementation of the provisions authorized in this act that summarizes any increases or decreases in the rate of compliance with required wildlife harvest reports.

#### -- 2005 REGULAR SESSION --

Feb 9 NREP - Majority; 1st substitute bill be substituted, do pass.

Feb 10 Referred to Appropriations.

HB 1236-S by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Morrell, Miloscia, Lovick, Darneille and Lantz)

Changing duties for aiding injured persons.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that a person is guilty of the crime of failing to summon assistance if: (1)(a) He or she was present when a crime was committed against another person; or (b) he or she was made aware that a crime was committed against another person by someone who was present when the crime was committed against the other person; and

- (2) He or she knows that the other person has suffered substantial bodily harm as a result of the crime committed against the other person and that the other person is in need of assistance; and
- (3) He or she could reasonably summon assistance for the person in need without danger to himself or herself and without interference with an important duty owed to a third party; and
- (4) He or she fails to summon assistance for the person in need; and
- (5) Another person is not summoning or has not summoned assistance for the person in need of such assistance.

Declares that a violation of this act is a misdemeanor.

#### -- 2005 REGULAR SESSION --

Feb 10 CJC - Majority; 1st substitute bill be substituted, do pass.

HB 1242-S by House (originally sponsored by Representatives Linville, Jarrett, Miloscia, Tom, Haigh, Sommers, Pettigrew, Pearson, Clibborn, Kristiansen, O'Brien, Orcutt, Quall, Morris, Lantz, Wallace, Kagi, Grant, Morrell, Chase, Springer, Lovick, Kessler, Dunshee, Appleton, P. Sullivan, Kilmer, Hunter, Upthegrove, Williams, Roberts, Dickerson, Sells, Eickmeyer, Nixon, Kenney and Ormsby)

Focusing the state budgeting process on outcomes and priorities.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that agency missions, goals, and objectives should focus on statewide results.

Declares an intent to focus the biennial budget on how state agencies produce real results that reflect the goals of statutory programs. Specifically, budget managers and the legislature must have the data to move toward better statewide results that produce the intended public benefit. This data must be supplied in an impartial, quantifiable form, and demonstrate progress toward statewide results.

Declares that, with a renewed focus on achieving true results, state agencies, the office of financial management, and the legislature will be able to prioritize state resources.

Provides that the act shall be null and void if appropriations are not approved.

#### -- 2005 REGULAR SESSION --

Feb 10 APP - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 11 Placed on second reading.

HB 1280-S by House Committee on Children & Family Services (originally sponsored by Representatives Pettigrew, Hinkle, Kagi, Walsh,

Schual-Berke, McDonald, Clibborn, Dickerson, P. Sullivan, Roach, Orcutt, Darneille, Morrell, Wallace and Santos)

Extending the kinship care oversight committee and its duties.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Extends the kinship care oversight committee and its duties.

Provides that the oversight committee must consist of a minimum of thirty percent kinship caregivers, who shall represent a diversity of kinship families. Statewide representation with geographic, ethnic, and gender diversity is required.

Provides that other members shall include representatives of the department, representatives of relevant state agencies, representatives of the private nonprofit and business sectors, child advocates, representatives of Washington state Indian tribes as defined under the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), and representatives of the legal or judicial field. Birth parents, foster parents, and others who have an interest in these issues may also be included.

#### -- 2005 REGULAR SESSION --

Feb 9 CFS - Majority; 1st substitute bill be substituted, do pass.

Feb 11 Passed to Rules Committee for second reading.

HB 1302-S by House (originally sponsored by Representatives Kagi, Jarrett and B. Sullivan)

Modifying burn ban triggers.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 70.94.473 and 70.94.030 to modify burn ban triggers.

Provides that "trigger level" means the ambient level of fine particulates, measured in micrograms per cubic meter, that must be detected prior to initiating a first or second state of impaired air quality under RCW 70.94.473.

#### -- 2005 REGULAR SESSION --

Feb 9 NREP - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.

Feb 10 Passed to Rules Committee for second reading.

HB 1314-S by House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Dickerson, Darneille, Upthegrove, Lovick, Lantz, Simpson, Morrell, Williams, Conway, Roberts, Moeller, Kenney, Wood, Kagi, McDermott, Santos, Chase and Ormsby)

Creating the domestic violence prevention account.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that the party filing the first or initial petition for dissolution, legal separation, or declaration concerning the validity of marriage shall pay, at the time and in addition to the filing fee required under RCW 36.18.020, a fee of ten

dollars. The clerk of the superior court shall transmit monthly the fees collected under this provision to the state treasury for deposit in the domestic violence prevention account.

Requires the department to administer funds available from the domestic violence prevention account under this act and establish minimum standards for preventive, nonshelter community-based services receiving funds administered by the department.

#### -- 2005 REGULAR SESSION --

Feb 9 JJFL - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

HB 1316-S2 by House (originally sponsored by Representatives Schual-Berke, Simpson, Kessler, Morrell, Kilmer, Upthegrove, Clibborn, Hasegawa, Conway, Roberts, Takko, Moeller, Kagi, Dickerson, Campbell and Ormsby; by request of Governor Gregoire)

Allowing the importation of certain prescription drugs from Canadian wholesalers.

#### (DIGEST OF PROPOSED 2ND SUBSTITUTE)

Requires that, by September 1, 2005, the board shall, in consultation with the department and the health care authority, submit a waiver request to the federal food and drug administration that will authorize the state of Washington to license Canadian prescription drug wholesalers under RCW 18.64.046, thereby providing retail pharmacies licensed in Washington state the opportunity to purchase prescription drugs from approved Canadian wholesalers and pass those savings on to consumers.

Provides that, by December 1, 2005, the board, in consultation with the department and the health care authority, shall submit a detailed implementation plan to the governor and appropriate committees of the legislature that details the mechanisms that the board will use to implement each component of the waiver under this act.

Provides that, if the board is unable to develop a licensing agreement with Health Canada or an applicable Canadian province, the board shall develop a process to license participating Canadian wholesalers through on-site inspection and certification.

#### -- 2005 REGULAR SESSION --

Feb 10 APP - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Feb 11 Placed on second reading.

HB 1334-S by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Pearson, Ericks, Holmquist and Simpson)

Changing provisions relating to registered sex and kidnapping offenders.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions relating to registered sex and kidnapping offenders.

#### -- 2005 REGULAR SESSION --

Feb 10 CJC - Majority; 1st substitute bill be substituted, do pass.

HB 1337-S by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Pearson and Darneille)

Regulating storage of sex offender records.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that any sealed record transferred to the Washington association of sheriffs and police chiefs for permanent electronic retention and retrieval, including records sealed after transfer, shall be electronically retained in such a way that the record is clearly marked as sealed.

Authorizes the Washington association of sheriffs and police chiefs to destroy both the paper copy and electronic record of any offender verified as deceased.

Provides that electronic records marked as sealed shall only be accessible by criminal justice agencies as defined in RCW 10.97.030 who would otherwise have access to a sealed paper copy of the document, the end-of-sentence review committee as defined by RCW 72.09.345 for the purpose of fulfilling its duties under RCW 71.09.025 and 9.95.420, and the system administrator for the purposes of system administration and maintenance.

#### -- 2005 REGULAR SESSION --

Feb 10 CJC - Majority; 1st substitute bill be substituted, do pass.

HB 1426-S by House Committee on Children & Family Services (originally sponsored by Representatives Roberts, McDonald, Kagi, Nixon, Pettigrew, Dickerson, Darneille, Tom, Rodne, Hasegawa, O'Brien, Lovick, Ormsby, Morrell, Chase and Santos)

Establishing an interagency plan for children of incarcerated parents.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to support children in the state whose parents are incarcerated by encouraging the state agencies involved with families of individuals who are incarcerated to coordinate and expand existing services for these families in order to improve the well-being of children of incarcerated parents both over the short term and the long term.

Directs the department of corrections, in partnership with the department of social and health services, to establish an oversight committee to develop a comprehensive interagency plan to provide the necessary services and supports for the children of this state whose parents are incarcerated in jail or prison.

Requires the oversight committee to develop the interagency plan by June 30, 2006, with an interim report due to the appropriate committees of the legislature by January 1, 2006.

#### -- 2005 REGULAR SESSION --

- Feb 9 CFS Majority; 1st substitute bill be substituted, do pass.
- Feb 11 Passed to Rules Committee for second reading.

HB 1492-S by House (originally sponsored by Representatives Williams, B. Sullivan, Eickmeyer and Orcutt; by request of Commissioner of Public Lands)

Developing a single pilot mitigation bank on state-owned aquatic lands.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the existing state and federal regulatory framework for wetland and aquatic resource mitigation is an important tool used to offset impacts to aquatic lands.

Finds that because impacts to wetlands and aquatic resources often affect state-owned aquatic lands, the department should work within established state and federal regulatory mitigation processes to develop a single pilot mitigation bank on state-owned aquatic lands.

Declares an intent to establish the proprietary mechanisms for the department to develop, implement, and manage a single pilot mitigation bank on state-owned aquatic lands. Additional authority will be needed if the department seeks to establish more than one mitigation bank.

Requires that, by December 31, 2010, the department must provide a report to the appropriate committees of the senate and house of representatives that provides the status of the pilot mitigation bank in regards to regulatory certification, management plan development, service area determination, credit determination, valuation, and sale, and endowment fund creation and expenditure.

#### -- 2005 REGULAR SESSION --

Feb 9 NREP - Majority; 1st substitute bill be substituted, do pass.

Feb 10 Referred to Appropriations.

https://doc.org/10.1033/https:

Providing excise tax relief for the development of commercial airplanes.

Provides excise tax relief for the development of commercial airplanes.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Finance.

HB 1941 by Representatives P. Sullivan, Quall, Talcott, Kenney and McDermott; by request of State Board of Education

Making the superintendent of public instruction a voting member of the state board of education.

Makes the superintendent of public instruction a voting member of the state board of education.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Education.

HB 1942 by Representatives Quall, P. Sullivan and Talcott; by request of State Board of Education

Reclassifying the state board of education as a class four group.

Reclassifies the state board of education as a class four group.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Education.

HB 1943 by Representatives O'Brien, Miloscia, Morrell and Ericks

Requiring that additional steps be taken when a person is reported missing.

Provides that, when a person reported missing has not been found and criminal activity is suspected to be the basis of the victim being missing, the sheriff, chief of police, county coroner, or county medical examiner, or other law enforcement authority initiating and conducting the investigation for the missing person shall, within forty-eight hours of suspecting the criminal activity immediately file a report, collect DNA samples from the known missing person, and ask the missing person's family or next of kin to give written consent to contact the dentist or dentists of the missing person and request the person's dental records.

Provides that, in cases where criminal activity is suspected, the state patrol shall immediately submit the DNA samples and the dental records in the missing person data base and shall forward copies of the DNA samples and dental records to the federal bureau of investigation within seventy-two hours upon receipt of the evidence of the known missing person.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Criminal Justice & Corrections.

#### **HB 1944** by Representatives Hunt and Williams

Allowing raffles conducted by state employees.

Provides that, when soliciting gifts, grants, or donations solely to support the charitable activities of state employees permitted under chapter 9.46 RCW, the state officers and state employees are presumed not to be in violation of the solicitation and receipt of gift provisions in RCW 42.52.140.

Declares that, for purposes of this act, activities are deemed to be charitable if the activities are devoted to the purposes authorized under RCW 9.46.0209 for charitable and nonprofit organizations listed in that section, or are in support of the activities of those charitable or nonprofit organizations.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Commerce & Labor.

https://dx.doi.org/10.1016/j.com/

Providing assistance in identifying recalled sprinkler system parts.

Provides assistance in identifying fire sprinkler system components that have been subject to a recall or voluntary replacement program. Assistance shall include, but is not limited to, aiding in the identification of recalled components, information sharing strategies aimed at ensuring the consumer is made aware of recalls and

voluntary replacement programs, and providing training and assistance to local fire authorities, the fire sprinkler industry, and the public.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Commerce & Labor.

HB 1946 by Representatives Schual-Berke and Morrell

Establishing prerequisites for filing an action for injury occurring as a result of health care.

Provides that no action for damages for injury occurring as a result of health care may be commenced against any health care provider unless the claimant: (1) Has given the health care provider at least ninety days' written notice of intent to file a claim, which includes a request to meet and discuss the claim; and

(2) After the health care provider responds to the request to meet, has made an appointment to meet, and has met or has had a designated nonlawyer representative meet, with the health care provider or the health care provider's designated nonlawyer representative to discuss the nature and basis of the claim and the health care provider's response.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Judiciary.

HB 1947 by Representatives Appleton, Green, Kilmer, Woods, Flannigan, Campbell, Lantz, Williams, Hunt, Darneille, Kirby, Chase, Eickmeyer and Conway

Studying toll discounts.

Requires the department of transportation to conduct a study of the feasibility of offering discounts on tolls for crossing the Tacoma Narrows Bridge. The study will include, but not be limited to, the impact on toll revenue due to discounts for frequent users, students, senior citizens, and low-income families. The study will be delivered to the transportation committees of the house of representatives and senate by June 30, 2006.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Transportation.

HB 1948 by Representatives Appleton, Woods, Kilmer, Cody, Williams, Green, Eickmeyer, McDermott, Campbell, Kirby, Chase, B. Sullivan, Morris and O'Brien

Exempting ferry fuel used by Washington state ferries from excise taxes.

Exempts ferry fuel used by Washington state ferries from excise taxes.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Transportation.

HB 1949 by Representatives Holmquist, Alexander, Kretz, Strow, Serben, Curtis, Schindler, DeBolt, Roach, Crouse, McCune, Haler, Dunn, Skinner, Buck, Williams, Campbell, Rodne, Anderson, Kristiansen, McDonald, Priest, Bailey, Orcutt and Condotta

Promoting greater fiscal responsibility in state budgeting through zero-based budget reviews.

Provides that, in the omnibus operating budget bill or in other legislation, the legislature shall identify agencies on which a zero-base budget review or a modified zero-base budget review shall be conducted during each fiscal year of the biennium. When specifying agencies on which the review will be conducted, the legislature shall seek to complement and avoid duplication of the activities or the proposed activities of the joint legislative audit and review committee under chapter 44.28 RCW.

Requires the reviews to be provided to the committees either by September 1st following the fiscal year in which the review takes place, or as specified in the omnibus operating budget bill or in other legislation.

Provides that each agency receiving appropriations in the omnibus operating budget bill shall be reviewed at least once during the six-year period beginning on July 1, 2005, and at least once every six years thereafter.

Provides that, when conducting the review, the committees shall consult with the joint legislative audit and review committee. The review is intended to complement, and not to duplicate, performance audits and performance reviews conducted by the joint legislative audit and review committee under chapter 44.28 RCW.

Provides that, to facilitate the review, the director of financial management shall cooperate with the committees to establish the method and format for the reporting of agency information. The director of financial management and all agencies shall comply in a timely manner with requests by the committees for information related to the review.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Appropriations.

HB 1950 by Representatives Holmquist, Schindler, McCune, Dunn, Haler and Crouse

Requiring state agencies to prepare housing impact statements.

Requires state agencies to prepare housing impact statements.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to State Government Operations & Accountability.

HB 1951 by Representatives Quall, Talcott, Haler, Morrell, Campbell, O'Brien, Hankins, Kagi and McDermott

Regarding vision exams for school-aged children.

Provides that the superintendent shall require that any school-age child who has been diagnosed with a learning disability, or is going to be placed in an alternative learning environment because of a perceived reluctance or inability to learn at a normal pace, have a complete vision exam. At a minimum, the complete vision exam must include: (1) Acuity and refraction testing to rule out a sight problem such as amblyopia;

- (2) Accommodative function testing to rule out accommodative dysfunction including accommodative insufficiency and infacility;
- (3) Motility testing to rule out strabismus, including significant phoria;
- (4) Vergence testing to rule out dysfunction and instability of eye alignment;

- (5) Eye movement accuracy testing to rule out a tracking problem; and
- (6) Ocular health exam including internal and external exam.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Education.

HB 1952 by Representatives Morris, O'Brien, Lovick, Ericks, Anderson and Kilmer

Establishing a local government interoperability pilot program.

Declares that, while the pending interoperable communication standards established by the committee are advisory to local governments, it is important that local governments understand the importance of following the direction set by the committee. To assist local governments to understand this need and to motivate participation, the legislature is establishing a local government interoperability communication system pilot program.

Declares an intent to limit the pilot program to a county public safety agency that develops a funding partnership among federal, state, and local government.

Declares an intent that the pilot program demonstrate to local governments throughout the state of Washington the value of implementing the pending interoperability standards being established by the committee.

Provides that, on or before July 1, 2006, the state interoperability executive committee, in consultation with the information services board, shall award a five million dollar grant to one county public safety agency. The agency shall be part of a county with a population over four hundred thousand. The grant shall be designed to assist a county public safety agency with developing a communication system that is capable of interoperating with state agencies, and other local governments.

Provides that, to be eligible for the grant, the county public safety agency shall: (1) By July 1, 2006, be awarded, or prove intent to be awarded, a minimum of five million dollars from the federal government specifically for the purpose of partnering with the state of Washington to implement an interoperable communication system;

- (2) Between July 1, 2004, and July 1, 2006, enact, by the vote of the people, a countywide measure to fund public safety communication equipment that raises a minimum of five million dollars;
- (3) Agree that all communication equipment purchased by the public agency, for the purposes of the pilot program, shall be digital equipment that complies with P25 standards established by the association of public safety communications officials, national association of state telecommunication directors, and federal government agencies, commonly referred to as "APCO/NASTD/FED"; and
- (4) Comply with all current and future interoperability communication standards adopted by the state interoperability executive committee.

Provides that, if specific funding for the purposes of funding the grant under section 2 of this act, in an amount of at least five million dollars, is not provided by appropriation to the state interoperability executive committee on or before July 1, 2006, or if a grant is not awarded under section 2 of this act on or before July 1, 2006, the local government interoperability communication system pilot program is null and void.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Technology, Energy & Communications.

HB 1953 by Representatives Newhouse, Blake, Kretz, Kessler, Buri, Condotta, Roach, Eickmeyer, Haler and Orcutt

Allowing counties to be included in a cougar control pilot program.

Provides that a county legislative authority may request inclusion in the cougar control pilot project authorized by chapter 264, Laws of 2004 after taking the following actions: (1) Adopting a resolution that requests inclusion in the pilot project;

- (2) Documenting the need to participate in the pilot project by identifying the number of cougar/human encounters and livestock and pet depredations; and
- (3) Demonstrating that existing cougar depredation permits, public safety cougar hunts, or other existing wildlife management tools have not been sufficient to deal with cougar incidents in the county.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Natural Resources, Ecology & Parks.

HB 1954 by Representatives Newhouse, Buri, Williams, Flannigan, Condotta, Roach and Haler

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Authorizing RV logos on highway sign panels.

Declares that the "RV" logo for businesses or destinations that accommodate recreational vehicles shall be placed in the lower right corner of the gas, food, lodging, camping, or tourist activity sign and shall be in the form of a small yellow circle with the letters "RV" in black.

Provides that the department of transportation shall not include the logo "RV" under RCW 47.36.310 and 47.36.320 unless the department determines that the gas, food, or lodging business or the camping or tourist activity destination provides parking spaces, overhang clearances, and entrances and exits designed to accommodate recreational or other large vehicles.

Authorizes the department to charge a reasonable fee in accordance with RCW 47.36.310 or 47.36.320 to defray the costs associated with the installation and maintenance of signs with "RV" logos.

Authorizes the department to adopt rules necessary to administer this act.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Transportation.

HB 1955 by Representatives Newhouse, Simpson, Orcutt, Buri, Roach, Haler, Ericks and O'Brien

Exempting the purchase of emergency service vehicles by local government from sales and use tax.

Exempts the purchase of emergency service vehicles by local government from sales and use tax.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Finance.

HB 1956 by Representatives Upthegrove, Lantz, Quall and Santos

Requiring civics assessments.

Provides that, beginning with the 2006-07 school year, school districts shall require each student in elementary, middle, and high school to complete a classroom-based assessment in civics that has been approved by the office of the superintendent of public instruction. The student's results on the civics assessment shall be included in the student's school records and, for a high school student, recorded on the student's transcript.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Education.

HB 1957 by Representatives Serben, Curtis, Buri, Ericks, Kretz, Williams, Strow, Haler and

Holmquist

Providing a business and occupation tax credit for employer-sponsored health coverage and contributions.

Provides a business and occupation tax credit for employer-sponsored health coverage and contributions.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Finance.

**HB 1958** by Representatives Buck and B. Sullivan

Extending certain limited fisheries buyback programs.

Extends certain limited fisheries buyback programs to December 31, 2010.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Natural Resources, Ecology & Parks.

**HB 1959** by Representatives Schindler, Holmquist and Condotta

Eliminating impact fees in counties and cities in counties where the first-time buyer housing affordability index shows that housing is not affordable.

Eliminates impact fees in counties and cities in counties where the first-time buyer housing affordability index shows that housing is not affordable.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Local Government.

HB 1960 by Representatives Williams, Rodne, Clements, Fromhold, Darneille, Clibborn, Lantz, Moeller, Condotta, Morris, Linville, B. Sullivan, Morrell, Ormsby, Schual-Berke, Cody, Pettigrew, Wood, Chase, Flannigan, Kretz, Newhouse, Buri, Ahern, Blake, Kessler, Campbell, O'Brien, Kenney, Santos and Kilmer

Allowing arbitration in long-term care facility disputes.

Declares that the legislature's intent in enacting RCW 70.129.105 was not to preclude long-term care facilities and nursing facilities from offering arbitration agreements to residents.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Health Care.

HB 1961 by Representatives Williams, Hinkle, Hunt, Skinner, Pettigrew, Morrell, Fromhold, Wood and Serben

Regulating team medical professionals.

Requires intercollegiate athletic programs to formally contract with team medical professionals. The contract must include provisions stating that: (1) The athletic program will accept liability for the actions of team medical professionals relative to student-athletes; and

(2) The duty of the team medical professional to safeguard the health of a student-athlete trumps any considerations of athletic or team success.

Provides that, before a contract may be signed, the team medical professional must submit to a criminal background check and a review of his or her medical malpractice history by an assistant attorney general assigned to the college or university.

Provides that team medical professionals may not directly dispense any prescription pharmaceuticals to student-athletes for a course of treatment that lasts longer than one day.

Provides that, at least once a month, without identifying student-athletes, a team medical professional must issue to the athletic director of the college or university a report detailing all prescriptions for Schedule II drugs under RCW 69.50.206 written by the team medical professional for that reporting period.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Higher Education.

HB 1962 by Representatives Kessler, Ericks, Sells, Cox, Hunter, Clibborn, Jarrett, Tom, Anderson, Nixon, Priest, Rodne, O'Brien, Santos and Chase

Authorizing baccalaureate degrees at selected community and technical colleges on a pilot basis.

Declares an intent to permit, on a limited and pilot basis, selected community and technical colleges to award baccalaureate degrees. At the same time, the legislature reaffirms its longstanding policy that the primary mission of a community college is to serve as a two-year institution of higher education that offers basic skills, academic transfer preparation, work force training, and personal enrichment opportunities while the primary purpose of the state's technical colleges is to respond to the work force needs of employers and labor.

Directs the college board to select three pilot community colleges and one technical college to develop and offer programs of study leading to a baccalaureate degree.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Higher Education.

HB 1963 by Representatives Morrell, Newhouse, Clibborn, Linville, Blake, Grant, McCoy

and Buri

Modifying the application requirements for the rural county business and occupation tax credit.

Amends RCW 82.62.020 relating to the rural county business and occupation tax credit.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Finance.

HB 1964 by Representatives Walsh, Grant, Haler, McIntire, Conway, Hankins and Chase

Designating the Walla Walla sweet onion as the official Washington state vegetable.

Designates the Walla Walla sweet onion as the official Washington state vegetable.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to State Government Operations & Accountability.

HB 1965 by Representatives Ericks, Strow, Haler, Linville, O'Brien, Santos and Chase

Providing tuition waivers for teachers seeking additional education.

Declares an intent to assist beginning public school teachers with their educational expenses by having state colleges and universities waive tuition for those courses required for a master's degree or professional certification. The legislature further intends that teachers repay the waived tuition with future service in the public schools.

Requires the higher education coordinating board to: (1) Adopt rules to implement these requirements;

- (2) Provide the universities and college with documents that may be used to ensure that waiver recipients accept their service or repayment obligations;
- (3) Work with the office of the superintendent of public instruction to create a system that identifies those teachers eligible to receive waivers and provides information about the waivers to those eligible to use them;
- (4) Report to the legislative education and fiscal committees by November of each even-numbered year with the number of waiver recipients, the total amount waived by each university or college, and the type of master's degree or certification pursued by waiver recipients; and
- (5) Collect and manage repayments from waiver recipients who do not meet their teaching obligations.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Higher Education.

HB 1966 by Representatives Ericks, O'Brien, Lovick, Strow, Haler, Takko, Morrell, Nixon, Campbell, McIntire, Conway, Santos, Chase and Moeller

Classifying identity theft as a crime against persons. Classifies identity theft as a crime against persons.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Criminal Justice & Corrections.

HB 1967 by Representatives Clibborn, Schindler, Jarrett, Springer, Nixon and Appleton

Affirming that cities and counties planning under chapter 36.70A RCW retain the ability to accommodate state projected population growth within urban growth areas without requiring a minimum residential density.

Declares that the purpose of this act is to affirm that cities and counties planning under the growth management act have flexibility within their granted land use authority to choose appropriate urban residential densities within their jurisdiction within urban growth areas that are sufficient to accommodate, at a minimum, population projections allocated pursuant to RCW 43.62.035 within urban growth areas.

Declares an intent to affirm that such accommodation does not require jurisdictions to establish a uniform minimum residential density.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Local Government.

HB 1968 by Representatives Linville, Wood, Conway, Hankins, Kenney, McIntire, Pettigrew, McCoy, Sells, Flannigan, Lovick, Morrell, Chase and Moeller

Regarding workplace bullying.

Declares that the purpose of this act is to define workplace bullying, encourage employers to voluntarily enact policies to eliminate workplace bullying, and conduct further study of the impacts on society related to workplace bullying.

Declares that workplace bullying includes but is not limited to: (1) Repeated infliction of verbal abuse such as the use of derogatory remarks, insults, and epithets;

- (2) Verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating;
- (3) The gratuitous sabotage or undermining of an employee's work performance; and
- (4) A single act of workplace bullying that is especially severe and egregious.

Encourages employers to develop and implement: (1) Educational programs designed to address workplace bullying; and

(2) Codes of conduct and internal enforcement processes that specifically address workplace bullying.

Appropriates the sum of . . . . dollars, or as much thereof as may be necessary, from the general fund to the . . . . for the fiscal year ending June 30, 2006, to carry out the purposes of this act by conducting a study of workplace bullying, including but not limited to the incidence, frequency, scope, and effect of abusive work environments. The . . . . shall present the results of the study to the legislature by December 1, 2005.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Commerce & Labor.

#### **Senate Bills**

SB 5023-S by Senate Committee on Transportation (originally sponsored by Senators Jacobsen and Oke)

Requiring headlights when wipers are used.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires every vehicle upon a highway within this state to display lighted headlights at any time when the vehicle's windshield wipers are in use due to snow, rain, fog, or other sight-limiting atmospheric conditions.

#### -- 2005 REGULAR SESSION --

Feb 10 TRAN - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Passed to Rules Committee for second reading.

SB 5098-S by Senate Committee on Water, Energy & Environment (originally sponsored by Senators Poulsen, Morton, Franklin, Kline and Kohl-Welles; by request of Governor Locke)

Regulating the energy efficiency of certain products.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that: (1) According to estimates of the department of community, trade, and economic development, the efficiency standards set forth in this act will save nine hundred thousand megawatt-hours of electricity, thirteen million therms of natural gas, and two billion gallons of water in the year 2020, fourteen years after the standards have become effective, with a total net present value to buyers of four hundred ninety million dollars in 2020.

- (2) Efficiency standards for certain products sold or installed in the state assure consumers and businesses that such products meet minimum efficiency performance levels thus saving money on utility bills.
- (3) Efficiency standards save energy and reduce pollution including global warming emissions and other environmental impacts associated with the production, distribution, and use of electricity and natural gas.
- (4) Efficiency standards contribute to the economy of Washington by helping to better balance energy supply and demand, thus reducing pressure for higher natural gas and electricity prices. By saving consumers and businesses money on energy bills, efficiency standards help the state and local economy, since energy bill savings can be spent on local goods and services.
- (5) Efficiency standards can make electricity systems more reliable by reducing the strain on the electricity grid during peak demand periods. Furthermore, improved energy efficiency can reduce or delay the need for new power plants, power transmission lines, and power distribution system upgrades.

#### -- 2005 REGULAR SESSION --

Feb 10 WEE - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5178-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Kastama, Keiser, Benson and Brandland)

Issuing a moratorium on licensing specialty hospitals.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the federal government has established an eighteen-month moratorium on the exemption under 42 U.S.C. 1395nn that allows physicians to refer patients to physician-owned specialty hospitals. The moratorium effectively prevents the establishment of any new physician-owned specialty hospitals reimbursed under medicare and other federal health programs until the medicare payment advisory commission and the secretary of health and human services each conduct a study to assess physician-owned specialty hospitals.

Finds that imposing a similar moratorium on the licensing of any new physician-owned specialty hospital until the results of the medicare payment advisory commission and health and human services' studies are available is necessary to enable the legislature to determine the appropriate regulation of physician-owned specialty hospitals in Washington.

Provides that, from January 1, 2005, until July 1, 2006, no specialty hospital in which a physician, or an immediate family member of a physician, has an ownership or investment interest shall be granted a license under chapter 70.41 RCW.

#### -- 2005 REGULAR SESSION --

Feb 10 HEA - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5290-S by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Delvin, Rasmussen, Schoesler, Shin, Morton, Jacobsen and Mulliken)

Including goats in theft of livestock in the first degree.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 9A.56.080 and 4.24.320 to include goats in theft of livestock in the first degree.

#### -- 2005 REGULAR SESSION --

Feb 10 ARED - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5348-S by Senate Committee on Water, Energy & Environment (originally sponsored by Senators Pridemore, Kastama, Fraser and Kline)

Authorizing certain PUDs to operate an electrical appliance repair service.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to avoid unnecessary hardships on the citizens of a community by recognizing the traditional appliance repair services that have been offered for many years by any public utility district.

Recognizes these historic services coexist with the private sector without creating aggressive competition between public and private enterprises.

Declares an intent to have these services be financially self-supporting and not be subsidized by any other customer rate structures.

Provides that any public utility district that has operated an electrical appliance repair service for at least ten years prior to the effective date of this act, may continue to operate an electrical appliance repair service within its service territory.

#### -- 2005 REGULAR SESSION --

Feb 10 WEE - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.

SB 5390-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Parlette, Franklin, Kastama, Johnson, Shin, Kohl-Welles and Kline)

Concerning improving the quality of care in state-purchased health care programs.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that the secretary shall, in collaboration with other state agencies that administer state purchased health care programs, private health care purchasers, health care providers, and carriers, use evidence-based medicine principles to develop common performance measures and implement financial incentives in contracts with insuring entities and providers that: (1) Reward improvements in health outcomes for individuals with chronic diseases, increased utilization of preventive health services, particularly for children, and reductions in medical errors; and

(2) Increase, through appropriate incentives to insuring entities and providers, the adoption and use of information technology that contributes to improved health outcomes, better coordination of care, and decreased medical errors, while not imposing significant costs or administrative burden on insuring entities or providers.

#### -- 2005 REGULAR SESSION --

Feb 10 HEA - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5436-S by Senate Committee on Transportation (originally sponsored by Senators Haugen, Delvin, Eide, Shin and Rasmussen; by request of Washington State Patrol)

Changing hearing procedures for violations of commercial motor vehicle laws, rules, and orders.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises hearing procedures for violations of commercial motor vehicle laws, rules, and orders in RCW 46.32.100.

#### -- 2005 REGULAR SESSION --

Feb 10 TRAN - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5880 by Senators Franklin, Kohl-Welles, Keiser and McAuliffe

Registering private youth coaches.

Declares that: (1) The safety, health, and welfare of children and families of this state would benefit by the establishment of a uniform registration and disclosure system for all persons privately engaging in the business of providing, for compensation, athletic coaching services to persons under the age of eighteen; and

(2) A parent's or guardian's right to know of the criminal history background of any person providing or offering to provide athletic coaching services to their child far outweighs any right that the athletic coach may have to keep such matters secret or private.

Declares that it is unlawful for any person to advertise or offer to provide, engage in, conduct, or carry on the business of privately providing youth athletic coaching services in this state unless the person possesses a valid, unsuspended, and unexpired certificate of registration issued by the department under this act.

Provides that a person who violates this act is guilty of: (1) A gross misdemeanor if the person has no criminal conviction appearing on any criminal history background record as of the date of the violation; and

(2) A class C felony if the person has any criminal conviction for any offense appearing on any criminal history background record as of the date of the violation.

Provides that the director may require, by rule, any information and documentation that reasonably relates to the need to determine whether the applicant meets the criteria to be registered as a youth athletic coach.

Declares that an applicant must meet the following minimum requirements to obtain a certificate of registration as a youth athletic coach: (1) Be at least eighteen years of age;

- (2) Be a citizen or resident alien of the United States; (3) Have a place of business or residence located in the state;
- (4) Submit a fully completed application on the form prescribed by the director, including a set of the applicant's fingerprints that are readable by the Washington state patrol criminal identification system under RCW 10.97.030 and 10.97.050 and through the federal bureau of investigation fingerprint check using a complete Washington state criminal identification fingerprint card.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Labor, Commerce, Research & Development.

SB 5881 by Senators Honeyford, Hargrove, Morton, Mulliken and Schoesler

Concerning a cougar survey and management program.

Finds that: (1) Washington's increasing cougar and human populations, and decreasing cougar habitat, create new management challenges;

- (2) The Washington department of fish and wildlife, the agency with authority over cougar control, acknowledges responding to over five hundred complaints a year regarding urban sightings, attacks on livestock and pets, and cougar confrontations with humans;
- (3) A 1996 initiative limited the hunting of cougars and some other species with the aid of bait or the use of hunting hound dogs, though the initiative did allow the state to authorize the use of hounds to control cougar populations for public safety; and
- (4) The initiative has resulted in a reduction in the number of cougar harvested during the cougar hunting season, and this has in turn resulted in an increase in the number of cougar/human confrontations and cougar attacks on livestock and pets.

Declares an intent to initiate a survey of cougar populations and encounters to help the state and participating county legislative authorities create a dangerous cougar management program that minimizes cougar incidents and executes more timely and effective actions when incidents threaten public safety or property.

Requires the department of fish and wildlife to report survey results for each participating county to the fish and wildlife commission and the appropriate committees of the legislature by December 31, 2005. The report shall also recommend: (1) Legislative or other changes needed to improve the dangerous cougar management and incident response program;

- (2) Methods to more effectively collect, share, and use incident reporting data to minimize cougar incidents and inform future cougar management decisions; and
- (3) Legislative or other changes needed to foster more timely and effective response actions to protect public safety and property.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Natural Resources, Ocean & Recreation.

#### SB 5882 by Senators Regala and Fraser

Modifying county and city sales and use tax provisions.

Amends RCW 82.14.450 relating to county sales and use taxes.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Government Operations & Elections.

#### SB 5883 by Senators Jacobsen and Kohl-Welles

Funding the University of Washington forest systems and bioenergy program.

Finds that forests throughout the American west are suffering from the accumulation of small-diameter wood materials to levels well in excess of what would be found in natural forest ecosystems.

Finds that, in partnership with government scientists, rural community planners, and private industry, the University of Washington forest systems and bioenergy program is developing technology tools that use the abundant small-diameter wood materials as a cost-effective source of bioenergy for hydrogen fuel cells, biofuels for cars and engines, and other chemical applications. Research

priorities include: (1) Maximizing the conversion efficiency of wood to methanol;

- (2) Analyzing the economic, environmental, and social impacts of establishing conversion systems at a variety of locations; and
- (3) Establishing best practices to ensure a sustainable harvest of forest materials.

Appropriates the sum of . . . . dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the general fund to the University of Washington forest systems and bioenergy program for the purposes of this act.

Appropriates the sum of . . . . dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the general fund to the University of Washington forest systems and bioenergy program for the purposes of this act.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Natural Resources, Ocean & Recreation.

#### SB 5884 by Senator Kastama

Reorganizing legislative committees.

Creates the administrative committee to oversee the office of the code reviser.

Declares that the administration of the office of the code reviser is subject to RCW 44.04.260.

Declares that the administrative committee employs the code reviser and has general administrative oversight over the functions and performance of the office of the code reviser. The code reviser serves at the pleasure of the administrative committee, which determines the code reviser's salary. The administrative committee may also authorize the code reviser to employ and fix the compensation of such additional legal and clerical assistance to the code reviser as may reasonably be required under chapter 1.08 RCW.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Government Operations & Elections.

#### SB 5885 by Senators Kastama and Esser

Providing corrective changes to the regional transportation investment district enabling statutes.

Provides that a regional transportation investment district may, with voter approval and as part of a regional transportation investment plan, impose a local option surcharge of not more than three-tenths of one percent of the value of vehicles registered to a person residing within the district. The proceeds collected under this provision shall be used for transportation projects as defined in RCW 36.120.020. No surcharge may be imposed on new vehicles, except that the surcharge shall apply to the initial registration of a vehicle previously licensed in another jurisdiction.

Requires an investment district imposing a tax under this act to contract, before the effective date of the resolution or ordinance imposing a surcharge, administration and collection to the state department of licensing, and department of revenue, as appropriate, which shall deduct an amount, as provided by contract, for administration and collection expenses incurred by the department. All administrative provisions in chapters 82.03, 82.32, and 82.44 RCW shall insofar as they are applicable to motor

vehicle excise taxes, be applicable to surcharges imposed under this act.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Transportation.

SB 5886 by Senators Keiser, Deccio and Rasmussen; by request of Department of Social and Health Services

Concerning home and community services' case management responsibilities.

Provides that, in the event that the department elects to contract with an alternative delivery system to provide case management services in a region, the department may by contract limit the role of the area agency on aging to reassessing and reauthorizing services. An area agency on aging whose role is limited to reassessing and reauthorizing services shall not be jointly or severally liable for the acts or omissions of any other organization with respect to the provision of services through the alternative delivery system.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Health & Long-Term Care.

SB 5887 by Senators Kastama, McCaslin, Delvin, Rasmussen, Schoesler and McAuliffe

Establishing a local government interoperability pilot program.

Declares that, while the pending interoperable communication standards established by the committee are advisory to local governments, it is important that local governments understand the importance of following the direction set by the committee. To assist local governments to understand this need and to motivate participation, the legislature is establishing a local government interoperability communication system pilot program.

Declares an intent to limit the pilot program to a county public safety agency that develops a funding partnership among federal, state, and local government.

Declares an intent that the pilot program demonstrate to local governments throughout the state of Washington the value of implementing the pending interoperability standards being established by the committee.

Provides that, on or before July 1, 2006, the state interoperability executive committee, in consultation with the information services board, shall award a five million dollar grant to one county public safety agency. The agency shall be part of a county with a population over four hundred thousand. The grant shall be designed to assist a county public safety agency with developing a communication system that is capable of interoperating with state agencies, and other local governments.

Provides that, to be eligible for the grant, the county public safety agency shall: (1) By July 1, 2006, be awarded, or prove intent to be awarded, a minimum of five million dollars from the federal government specifically for the purpose of partnering with the state of Washington to implement an interoperable communication system;

- (2) Between July 1, 2004, and July 1, 2006, enact, by the vote of the people, a countywide measure to fund public safety communication equipment that raises a minimum of five million dollars;
- (3) Agree that all communication equipment purchased by the public agency, for the purposes of the pilot program, shall be digital equipment that complies with P25 standards

established by the association of public safety communications officials, national association of state telecommunication directors, and federal government agencies, commonly referred to as "APCO/NASTD/FED"; and

(4) Comply with all current and future interoperability communication standards adopted by the state interoperability executive committee.

Provides that, if specific funding for the purposes of funding the grant under section 2 of this act, in an amount of at least five million dollars, is not provided by appropriation to the state interoperability executive committee on or before July 1, 2006, or if a grant is not awarded under section 2 of this act on or before July 1, 2006, the local government interoperability communication system pilot program is null and void.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Government Operations & Elections.

SB 5888 by Senators Thibaudeau, Poulsen and Kline

Addressing access to individual health insurance coverage. Revises provisions addressing access to individual health insurance coverage.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Health & Long-Term Care.

SB 5889 by Senators Pridemore, Oke, Rockefeller and Shin; by request of State Treasurer

Making the state treasurer a nonpartisan office.

Declares that the duties of the state treasurer to receive and disburse public money, account for public money as provided by law, manage the investment of state funds, oversee state borrowings, and carry out other duties as prescribed by the Constitution and statute, are all responsibilities that are fundamentally nonpartisan in nature. Accordingly, the office of state treasurer should be nonpartisan.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Government Operations & Elections.

**SB 5890** by Senators Kline, Weinstein and Jacobsen

Authorizing a filing fee surcharge for funding county law libraries.

Provides that in each county, upon a showing of need by the law library board of trustees, a county legislative body or bodies may impose an additional surcharge not to exceed the maximum amount established in RCW 27.24.070 for every new probate or civil filing in superior court and an additional surcharge not to exceed the maximum amount established in this section for every fee collected for the commencement of a civil action in district court for the purpose of funding the county law library. Any surcharge imposed shall be collected by the clerk of the court and remitted to the county treasurer for deposit in the county or regional law library fund.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Judiciary.

SB 5891 by Senators Stevens, McCaslin, Benson, Carrell, Schmidt and Esser

Establishing standardized chemical dependency assessment protocols.

Establishes standardized chemical dependency assessment protocols.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Human Services & Corrections.

**SB 5892** by Senators Eide and Shin

Regarding technical assistance services.

Provides that, in delivering export-related technical assistance, the department shall charge fees for all services provided, beyond an initial consultation, that result in overseas sales.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to International Trade & Economic Development.

SB 5893 by Senator Jacobsen

Creating the crime of a secondary commercial fish receiver's failure to account for commercial harvest.

Declares that secondary commercial fish receivers are persons possessing or controlling possession of fish and shellfish that have been or should have been recorded on fish receiving tickets, or have been or should have been recorded on aquatic farm production reports. Secondary commercial fish receivers include, but are not limited to, retail sales outlets, cold storage facilities, shippers, brokers, and other businesses that hold commercial fish and shellfish for other persons.

Provides that a person is guilty of a secondary commercial fish receiver's failure to account for commercial harvest if the person sells fish or shellfish at retail, stores or holds fish or shellfish for another, ships fish or shellfish, or brokers fish or shellfish, the fish or shellfish were required to be entered on a Washington state fish receiving ticket or a Washington aquatic farm production report, the person is not a wholesale fish dealer, fisher selling under a direct retail sale endorsement, or registered aquatic farmer, and the person fails to maintain records of each receipt of fish or shellfish at the location where the fish or shellfish are being sold, at the location where the fish or shellfish are being stored or held, or the principal place of business of the shipper or broker, or violates the recordkeeping requirements of this act.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Natural Resources, Ocean & Recreation.

SB 5894 by Senators Fraser, Morton, Poulsen, Pridemore, Mulliken, Hewitt, Honeyford, Rockefeller, Oke, Kline, Parlette, Kohl-Welles and Rasmussen

Creating the joint legislative committee on water supply during drought.

Provides that the joint legislative committee on water supply during drought shall convene from time to time at the call of the chair when a drought conditions order under RCW 43.83B.405 is in effect, or when the chair determines, in consultation with the department of ecology, that it is likely that such an order will be issued within the next year.

Authorizes the committee to request and review information relating to water supply conditions in the state, and economic, environmental, and other impacts relating to decreased water supply being experienced or anticipated.

Provides that, during drought conditions in which an order issued under RCW 43.83B.405 is in effect, the department of ecology shall provide to the committee no less than monthly a report describing drought response activities of the department and other state and federal agencies participating on the water supply availability committee. The report shall include information regarding applications for, and approvals and denials of emergency water withdrawals and temporary changes or transfers of, water rights under RCW 43.83B.410.

Requires the committee from time to time to make recommendations to the senate and house of representatives on budgetary and legislative actions that will improve the state's drought response programs and planning.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Water, Energy & Environment.

SB 5895 by Senators Fraser, Poulsen, Morton, Regala, Pridemore, Jacobsen and Kohl-Welles

Increasing coordination between the Puget Sound action team and other governmental entities.

Declares an intent to improve the overall efforts to conserve and recover Puget Sound by enhancing coordination and integration of the planning, budgeting, and program activities of entities with responsibilities under the Puget Sound conservation and recovery management plan. The goals of this act are to: (1) Foster and improve overall coordination and implementation of Puget Sound conservation and recovery efforts among all levels of government and the private sector, in part through developing and implementing the Puget Sound conservation and recovery management plan and biennial work plans;

- (2) Improve the coordination among federal, state, local, and tribal agencies and initiatives in order to better set priorities, adopt and implement work plans for protecting and restoring Puget Sound, and allocate resources for these purposes;
- (3) Adopt performance measures and improve accountability for results and expenditures in plan implementation;
- (4) Prepare a budget that is scaled to appropriate timelines for achieving Puget Sound conservation, recovery, and prevention of further degradation, and ensure that this budget is considered when adopting state biennial budgets;
- (5) Revitalize a Sound-wide planning and implementation framework that integrates all state agency activities with other Puget Sound protection and restoration activities;
  - (6) Increase citizen involvement and oversight; and
- (7) Increase representation of nonstate agency interests and organized Puget Sound restoration programs on the Puget Sound council.

Declares it is the purpose of this act to strengthen the local government membership on the Puget Sound water quality action team, and to expand the assistance that the team provides to local governments carrying out elements of the Puget Sound plan.

Requires the council to conduct a review of the partnership's biennial work plan in October of each even-numbered year and shall include a budget review and recommendation cover letter to the document when it is presented to the appropriate policy and fiscal committees of the legislature in December. This letter shall specify, among other items, the council's recommendations on appropriate allocations among priorities in the work plan, on the overall levels of funding proposed, and on their adequacy in meeting the timelines established in this act.

Declares it is the intent of this act that each biennial operating appropriations act beginning with the 2005-07 biennium include funding for this program in an amount of five million dollars or more.

Provides that the powers, duties, and functions of the Puget Sound action team are transferred to the Puget Sound conservation and recovery partnership.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Water, Energy & Environment.

SB 5896 by Senators Mulliken, Hargrove, Hewitt, Sheldon, Morton, Honeyford, Oke and

Schoesler

Distinguishing growth management update responsibilities between slower and faster growing cities and counties.

Distinguishes growth management update responsibilities between slower and faster growing cities and counties.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Government Operations & Elections.

SB 5897 by Senators McAuliffe, Kastama, Schmidt, Kohl-Welles, Berkey and Rasmussen

Regarding vision exams for school-aged children.

Provides that the superintendent shall require that any school-age child who has been diagnosed with a learning disability, or is going to be placed in an alternative learning environment because of a perceived reluctance or inability to learn at a normal pace, have a complete vision exam. At a minimum, the complete vision exam must include: (1) Acuity and refraction testing to rule out a sight problem such as amblyopia;

- (2) Accommodative function testing to rule out accommodative dysfunction including accommodative insufficiency and infacility;
- (3) Motility testing to rule out strabismus, including significant phoria;
- (4) Vergence testing to rule out dysfunction and instability of eye alignment;
- (5) Eye movement accuracy testing to rule out a tracking problem; and
- (6) Ocular health exam including internal and external exam.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Early Learning, K-12 & Higher Education.

SB 5898 by Senators Regala, Brandland, Pridemore, Hargrove, Thibaudeau, Oke, Kohl-Welles and Rasmussen

Ordering a public information campaign on postpartum depression.

Directs the council to conduct a proactive, public information and communication outreach campaign concerning the significance, signs, and treatment of postpartum depression.

Appropriates the sum of twenty-five thousand dollars, or as much thereof as may be necessary, from the general fund to the children's trust fund for the fiscal year ending June 30, 2006, to carry out the purposes of this act.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Health & Long-Term Care.

SB 5899 by Senators Kohl-Welles, Brandland and Rasmussen

Changing provisions relating to background checks. Revises provisions relating to background checks. Repeals RCW 43.43.835.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Human Services & Corrections.

SB 5900 by Senators Keiser, Delvin, Roach, Eide, McAuliffe, Kohl-Welles, Shin and Rasmussen

Allowing members of the public employees' retirement system plans 1 and 2 employed as emergency medical technicians to transfer to the law enforcement officers' and fire fighters' retirement system plan 2.

Authorizes members of the public employees' retirement system plans 1 and 2 employed as emergency medical technicians to transfer to the law enforcement officers' and fire fighters' retirement system plan 2.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Ways & Means.

SB 5901 by Senators Delvin, Roach, Rockefeller, Keiser, Pridemore, McAuliffe, Kohl-Welles, Shin and Rasmussen

Removing the cap on retirement benefits of members of the law enforcement officers' and fire fighters' retirement system plan 1.

Deletes the cap on retirement benefits of members of the law enforcement officers' and fire fighters' retirement system plan 1.

#### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Ways & Means.

#### **Senate Joint Memorials**

SJM 8016 by Senators Keiser, Eide, Spanel, Deccio, Thibaudeau, Benson, Franklin, Pridemore, Weinstein, Rasmussen, Kastama, Kohl-Welles, Kline, Doumit, Berkey, Brown, Poulsen, McAuliffe, Oke, Regala, Parlette and Shin

Requesting that Congress and the Bush Administration support efforts that will lower drug costs for Americans.

Requests that Congress and the Bush Administration support efforts that will lower drug costs for Americans.

### -- 2005 REGULAR SESSION --

Feb 11 First reading, referred to Health & Long-Term Care.

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